



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jorge Orbay

SERIAL NO.: 10/762,695

GROUP ART UNIT: 3732

FILED: January 22, 2004

EXAMINER:

FOR: Orthopedic Fixation System
Including Plate Element with
Threaded Holes Having
Divergent Axes

ATT'Y DOCKET: HAN-030

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited on this day with the United States Postal Service as first class mail in an envelope addressed to : Commissioner of Patents and Trademarks, Washington D.C. 20231.

David S. Jacobson
David S. Jacobson
Reg. No. 39,235

5/25/04
Date

Sir:

SUBMITTAL OF
DOCUMENTS PURSUANT TO DUTY OF DISCLOSURE

Pursuant to applicant's duty of disclosure 37 CFR Section 1.56, enclosed is a completed form PTOL-1449 which lists the documents relating to the above-referenced patent application. Since this document submittal is being presented prior to the first examination on the merits, no fee is due herewith.

Attached is German Patent #0 451,427 A1 which describes the anchoring mechanism/head for a femur prosthesis.

Also attached are the following articles:

"SCS™/D Distal Radius Plate System: Dorsal", Avanta, 1997 describes how this rigid fixation can promote early rehabilitation. They are designed to increase plate strength and to lessen the role of distal metaphyseal screws.

"SCS™/V Distal Radius Plate: Volar", Avanta, 1998. This article describes how this apparatus engages the strong subchondral bone of the fragments which are designed to carry loads directly through the plate to the proximal shaft.

"The Distal Radius Plate Instrument and Implant Set", Technique Guide, Synthes, Paoli, PA, 1995. This article describes how this device is used for the fixation of fractures and carpal fusions involving the distal radius.

"The Titanium Distal Radius Plate", Technique Guide, Synthes, Paoli, PA, 1995; A technique guide for dorsal application in complex intra-articular and extra-articular fractures of the distal radius; and also osteotomies of the distal radius.

"Advances in Distal Radius Fracture Management (D)", transcript of American Academy of Orthopaedic Surgeons, 2001 Conference pp. 134-151, February 28, 2001, including article by Matthew D. Putnam MD, entitled "Repair and Rehabilitation of Distal Radius Fractures: The Role of Subchondral Fixation" at pp. 144-147.

"Summary of Safety and Effectiveness Information", [510K Summary], Synthes, 07/29/98 describes the Synthes DFP System.

The listed documents are brought to the Examiner's attention because they are known to the applicant and/or the applicant's attorney and may be considered by the Examiner to be material to his/her examination. This listing should not be construed as representation that a search has been made or that no better art exists. No inference should be made that the documents are in fact material merely because they are referenced herein. Moreover, no representation is made that the brief descriptions of the references herein necessarily describe the most material aspects of the references. Further, by this listing, the applicant is not making any admission regarding the relative dates of the invention and listed disclosures.

Respectfully submitted,



David S. Jacobson
Reg. #39,235
Attorney for Applicant(s)

Gordon & Jacobson, P.C.
65 Woods End Road
Stamford, CT 06905
(203) 329-1160



INFORMATION DISCLOSURE CITATION

PAGE 1 OF 7

Atty Docket No.
HAN-030

Serial No.
10/762,695

Applicant
Jorge Orbay

Filed
01/22/04

Group
3732

US PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name	Class	Sub-class	Filing date if approp.
	A	US2004/0059335	03/25/04	Weaver et al.	606	69	
	B	US2004/0059334	03/25/04	Weaver et al.	606	69	
	C	US2003/0105461	06/05/03	Putnam	606	69	
	D	6,527,775	03/04/03	Warburton	606	62	
	E	6,468,278	10/22/02	Mückter	606	69	
	F	6,440,135	08/27/02	Orbay et al.	606	69	
	G	6,364,882	04/02/02	Orbay	606	69	
	H	6,355,041	03/12/02	Martin	606	62	
	I	6,270,499	08/07/01	Leu et al.	606	64	
	J	6,248,109	06/19/01	Stofella	606	75	
	K	6,238,395	05/29/01	Bonutti	606	60	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	L	"SCS™/D Distal Radius Plate System: Dorsal", Avanta, 1997					
	M	"SCS™/V Distal Radius Plate: Volar", Avanta, 1998					
	N	"The Distal Radius Plate Instrument and Implant Set", Technique Guide, SYNTHES®, Paoli, PA, 1995					
	O	"The Titanium Distal Radius Plate", Technique Guide, SYNTHES®, Paoli, PA, 1995					
	P	"Advances in distal Radius Fracture Management(D)", transcript of American Academy of Orthopaedic Surgeons 2001 Conference, pp. 134-151, February 28, 2001, including article by Matthew D. Putnam, MD, entitled "Repair and Rehabilitation of Distal Radius Fractures:: The Role of Subchondral Fixation" at pp. 144-147					
	Q	"Summary of Safety and Effectiveness Information", [501K Summary], Synthes, 07/29/98 describes the Synthes DFP System.					

EXAMINER

DATE CONSIDERED

INFORMATION DISCLOSURE CITATION PAGE 2 OF 7				Atty Docket No. HAN-030		Serial No. 10/762,695	
				Applicant Jorge Orbay			
				Filed 01/22/04		Group 3732	
US PATENT DOCUMENTS							
Examiner Initials		Document No.	Date	Name	Class	Sub-class	Filing date if approp.
	A	6,238,395	05/29/01	Bonutti	606	60	
	B	6,231,576	05/15/01	Frigg et al.	606	62	
	C	6,221,073	04/24/01	Weiss et al.	606	60	
	D	6,146,384	11/14/00	Lee et al.	606	73	
	E	6,096,040	08/01/00	Esser	606	69	
	F	6,053,917	04/25/00	Sherman et al.	606	61	
	G	5,968,047	10/19/99	Reed	606	76	
	H	5,941,878	08/24/99	Medoff	606	60	
	I	5,938,664	08/17/99	Winqvist et al.	606	69	
	J	5,931,839	08/03/99	Medoff	606	69	
	K	5,853,413	12/29/98	Carter et al.	606	69	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	L						
	M						
	N						
	O						
	P						
	Q						
EXAMINER				DATE CONSIDERED			

INFORMATION DISCLOSURE CITATION PAGE 3 OF 7				Atty Docket No. HAN-030		Serial No. 10/762,695	
				Applicant Jorge Orbay			
				Filed 01/22/04		Group 3732	
US PATENT DOCUMENTS							
Examiner Initials		Document No.	Date	Name	Class	Sub-class	Filing date if approp.
	A	5,776,194	07/07/98	Mikol et al.	623	16	
	B	5,766,174	06/16/98	Perry	606	62	
	C	5,718,705	02/17/98	Sammarco	606	69	
	D	5,709,682	01/20/98	Medoff	606	60	
	E	5,709,686	01/20/98	Talos et al.	606	69	
	F	5,676,667	10/14/97	Hausman	606	69	
	G	5,665,087	09/09/97	Huebner	606	65	
	H	5,662,655	09/02/97	Laboureau et al.	606	75	
	I	5,603,715	02/18/97	Kessler	606	63	
	J	5,591,168	01/07/97	Judet et al.	606	65	
	K	5,578,035	11/26/96	Lin	606	68	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	L						
	M						
	N						
	O						
	P						
	Q						
EXAMINER				DATE CONSIDERED			

INFORMATION DISCLOSURE CITATION PAGE 4 OF 7				Atty Docket No. HAN-030		Serial No. 10/762,695	
				Applicant Jorge Orbay			
				Filed 01/22/04		Group 3732	
US PATENT DOCUMENTS							
Examiner Initials		Document No.	Date	Name	Class	Sub-class	Filing date if approp.
	A	5,586,985	12/24/96	Putnam et al.	606	69	
	B	5,536,127	07/16/96	Pennig	411	413	
	C	5,484,438	01/16/96	Pennig	606	64	
	D	5,472,444	12/05/95	Huebner et al.	606	64	
	E	5,458,654	10/17/95	Tepic	623	23	
	F	5,437,667	08/01/95	Papierski et al.	606	55	
	G	5,382,248	01/17/95	Jacobson et al.	606	60	
	H	5,356,410	10/18/94	Pennig	606	62	
	I	5,304,180	04/19/94	Slocum	606	69	
	J	5,151,103	09/29/92	Tepic et al.	606	69	
	K	5,035,697	07/30/91	Frigg	606	67	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	L						
	M						
	N						
	O						
	P						
	Q						
EXAMINER				DATE CONSIDERED			

INFORMATION DISCLOSURE CITATION PAGE 5 OF 7				Atty Docket No. HAN-030		Serial No. 10/762,695	
				Applicant Jorge Orbay			
				Filed 01/22/04		Group 3732	
US PATENT DOCUMENTS							
Examiner Initials		Document No.	Date	Name	Class	Sub-class	Filing date if approp.
	A	5,015,248	05/14/91	Burstein et al.	606	74	
	B	4,483,335	11/20/84	Tornier	128	92	
	C	5,015,248	05/14/91	Burstein et al.	606	74	
	D	5,006,120	04/09/91	Carter	606	69	
	E	4,923,471	05/08/90	Morgan	623	16	
	F	4,867,144	09/19/89	Karas et al.	128	92	
	G	4,776,330	10/11/88	Chapman et al.	128	92	
	H	4,794,919	01/03/89	Nilsson	128	92	
	I	4,506,662	03/26/85	Anaplotis	128	92	
	J	4,172,452	10/30/79	Forte et al.	128	92	
	K	4,153,953	05/15/79	Grobbelaar	3	1.913	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	L						
	M						
	N						
	O						
	P						
	Q						
EXAMINER				DATE CONSIDERED			

INFORMATION DISCLOSURE CITATION PAGE 6 OF 7				Atty Docket No. HAN-030		Serial No. 10/762,695	
				Applicant Jorge Orbay			
				Filed 01/22/04		Group 3732	
US PATENT DOCUMENTS							
Examiner Initials		Document No.	Date	Name	Class	Sub-class	Filing date if approp.
	A	4,135,507	01/23/79	Harris	128	92	
	B	3,741,205	06/26/73	Markolf et al.	128	92	
	C	3,645,161	02/29/72	Wesker	85	1	
	D	3,025,853	03/20/62	Mason	128	92	
	E	2,500,370	03/14/50	McKibbin	128	92	
	F	472,913	04/12/1892	Taylor			
	G						
	H						
	I						
	J						
	K						
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	L						
	M						
	N						
	O						
	P						
	Q						
EXAMINER				DATE CONSIDERED			

INFORMATION DISCLOSURE CITATION PAGE 7 OF 7				Atty Docket No. HAN-030		Serial No. 10/762,695	
				Applicant Jorge L. Orbay			
				Filed 01/22/04		Group 3732	
US PATENT DOCUMENTS							
Examiner Initials		Document No.	Date	Name	Class	Sub- class	Filing date if approp.
	A						
FOREIGN PATENT DOCUMENTS							
Examiner Initials		Document No.	Date	Country	Class	Sub- class	<u>Translation</u> Yes No
		0 451 427 A1	05/07/90	Germany			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			